

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR & RD Department – Allegations of irregularities in execution of work “CPWS to Kotagiri and 23 habitations (Phase-II)” in Nizamabad District - Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.) - Sanction under Rule 9 of A.P. Revised Pension Rules, 1980 – Article of Charges – Communicated -Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 69 .

Dated: 20.01.2010.

Read:

G.O.Ms.No.24, PR&RD (Vig.I) Dept., Dt:20.01.2010.

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ORDER:

In pursuance of the sanction accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 in the G.O. read above, for instituting departmental proceedings against Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.), the article of charges is herewith communicated to him and initiate disciplinary proceedings against him as per the procedure laid down under rule 20 of Andhra Pradesh Civil Services (C.C.& A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges Annexure-I. A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are appended as Annexure-II and III.

3. Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.) is directed to submit within (15) days of the receipt of this G.O., a written statement of defence.

4. Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.) is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should, specifically admit or deny each article of charge.

5. Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.) is further informed that if he does not submit his written statement of defence within the stipulated period specified in Para-3 above, further action will be processed based on the material available.

6. Attention of Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.), is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or

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outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule.24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS
Banswada Division, Nizamabad District (Retired.).through
the Engineer-in-Chief, Panchayat Raj, Hyderabad.
The Engineer-in-Chief, Panchayat Raj, Hyderabad (in duplicate) with a request
to serve and return the dated acknowledge copy along with W.S.D.
Copy to:
The G.A.(V&E) Dept.
(Vigilance Report No.35 (736/V&E/E2/2006), dt. 12.03.2008.
SF/SC

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-I

(to G.O.Rt.No. 69 , Panchayat Raj & Rural Development Department,
dt. 20.01.2010)

CHARGE:

That Sri G. Kondal Reddy, formerly Executive Engineer, Panchayat Raj, (now retired), while working at RWS Division, Banswada of Nizamabad District, has committed irregularities by passing 3rd & Part bill without arithmetic check of contents and totaling, which resulted in excess payment in "Formation of earthen bund for S.S. tank with excavated soils" component in 3rd & Part bill which resulted in excess payment of Rs.10.00 lakhs in the records for his personal gain by misutilising his official position.

BASIS:

As seen from the report of the V&E Dept. in Report No.35 (736/V&E/E2/2006) dt. 09.10.2009 in respect of the work "CPWS to Kotagiri and 23 habitations (Phase-II)" in Nizamabad District, the total net quantity of the component (bund formation) as executed in the field was 1,66,207.19 cum only and the same was completed by 2nd & Part bill and no further work on the item was either executed or recorded in any M. Book till the final bill.

In C.C. 2nd and part bill, originally, the executed quantity (bund formation) which was recorded as 1,38,422.56 cum has been check measured with deductions as 1,34,825.25 cum (pg 46 of MB No.633/01-A). The total quantity as per CC 1st & CC 2nd bill is 1,66,207.10 cum and all these quantities were corrected/over written which are check measured by the Deputy Executive Engineer and the final measurements considered as under:

Executed quantity in CC IInd & Part bill:	1,56,279.13 cum
	(original 1,38,423.66 cum)
Net quantity	: 1,52,664.22 cum
	(original 1,34,808.75 cum)
Total quantity of two bills	: 1,84,062.66 cum
	(original 1,66,207.19 cum)

As seen from the M.Book No.633/01-A wherein detailed measurements were recorded the full quantity of earth work for formation of bund was recorded and check measured by the time of CC 2nd & Part bill i.e., quantity of 1,84,062.66 cum and check measured. However, in MB No.627/01-A i.e, abstract of payments, the quantity recorded for payment is as under:-

CC 2 nd & Part	:	1,66,207.19 cum
CC 3 rd & Part	:	1,74,204.18 cum
CC 4 th & Part	:	1,74,204.18 cum
CC 5 th & Part	:	1,84,062.66 cum

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From the above, it is clear evident that, when no formation work was carried out after recording and check measurement. In CC 2nd and part bill, the total earthwork quantity should remain constant. Further, the payment for earthwork was fully paid after CC 2nd & part bill. As the concerned section officer has also accepted that no work was carried out CC 2nd & part bill. Hence, the increase recorded in quantities after CC 2nd & part bill. Hence, the increase recorded in quantities after CC 2nd & part bill was not with reference to executed work.

Originally, the full quantity of 1,66,207.29 cum was recorded and check measured in CC 2nd & part bill, but subsequently, the quantity was corrected as 1,84,062.86 cum and payment for excess quantity of 17,222.07 cum was recorded, check measured and released in CC 3rd & part bill (7,996.99 cum) and CC 5th & Part bill (9,858.48 cum).

The excess/fraud measurements which were recorded, check measured and scrutinized by drawing branch and accounts branch has been passed and recommended for payment without any verification and objection which had resulted in release of excess payment to contractor. As overwriting, corrections were made after original recording, without any objection the said recordings were check measured scrutinized and payment was made.

This payment is a deliberate fraud committed and the corrections were not even attested by any officer which is primary obligatory requirement.

After bringing the above irregularity into light by V&E dept. only, the concerned Executive Engineer had adjusted the above amount by TEO duly forfeiting deposits of contractor and also by way of challan dt. 09.07.2007. Had not the V&E Dept., inspected the work and pointed out the above irregularity, there would have a huge financial loss to the state exchequer.

The Executive Engineer, cannot give absolve him self from the responsibility of the misappropriation taken place on the reason that due to the rush of work and as the bill was scrutinized by Accounts Branch and DAO (W), he passed the CC 3rd & part bill wherein excess payment was made and that was done only by oversight and not deliberate. Being a division head and drawing authority, the Executive Engineer ought to have borne the consequences which are arisen.

Thus, he had miserably failed in attending his legitimate duties and favored the contractor for his personal gain by colluding with the section officer concerned which is a serious lapse which should not have expected from the loyal Government servant.

Hence, the Charge.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-II

(to G.O.Rt.No. 69 , Panchayat Raj & Rural Development Department,
dated.20.01.2010)

List of documents by which the article of charges is proposed to be sustained against Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.)

Vigilance Report No.35 (736/V&E/E2/2006), dt. 12-03-2008 of G.A. (V&E) Dept.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-III

(to G.O.Rt.No. 69 , Panchayat Raj & Rural Development Department,
dated.20.01.2010)

List of witnesses by whom the article of charges is proposed to be sustained against Sri G. Kondal Reddy, Executive Engineer, Panchayat Raj, formerly at RWS Banswada Division, Nizamabad District (Retired.)

-Nil-

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER